



General Assembly

February Session, 2010

***Raised Bill No. 425***

LCO No. 2021

\*02021\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

***AN ACT CONCERNING BOARD MEMBERSHIP.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-203 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The board of education in each town shall consist of three, six,  
4 nine or twelve residents of such town, except as provided in section 9-  
5 205. [In] Except as provided in subsection (b) of this section, in a town  
6 holding annual elections one-third of the members of such board shall  
7 be elected annually for the term of three years and in a town holding  
8 biennial elections, members of such board shall be elected in  
9 accordance with the provisions of section 9-205, as amended by this  
10 act, or section 9-206.

11 (b) Any town may, at any time, by ordinance, make the number of  
12 its board of education three, six, nine or twelve. [, and, at the next  
13 election thereafter held in each such town, the terms of all members of  
14 the board of education shall terminate and sufficient members shall be  
15 elected to fill the entire number of positions on said board as

16 determined by such ordinance. In each such town which holds annual  
17 elections, at such next election one-third of the members of such board  
18 shall be elected for a term of one year, one-third shall be elected for a  
19 term of two years and one-third shall be elected for a term of three  
20 years; and at each annual election thereafter held, one-third of the  
21 members of such board shall be elected for a term of three years. In  
22 each such town which holds biennial elections, at such next election  
23 and at each biennial election thereafter held, members of the board of  
24 education shall be elected in accordance with the procedure prescribed  
25 in section 9-206 for a town which adopts biennial elections.]

26 (1) If any town which holds annual elections, reduces by ordinance,  
27 the number of its board of education members to three, six or nine,  
28 beginning with the town election next following such action, when a  
29 term of office of a member of such board then in office expires, such  
30 position shall not be filled, except to make the number of the board  
31 equal to the number required by ordinance. The members shall be  
32 elected to hold office for three years each from the date of election,  
33 and, at each town election thereafter, the town shall elect members of  
34 such board in place of the members whose terms expire, each for a  
35 term of three years from the date of election.

36 (2) If any town which holds annual elections, increases by  
37 ordinance, the number of the board of education members to six, nine  
38 or twelve, such town shall elect, beginning with the town election next  
39 following such action, members to the board in a number that will  
40 make the number of the board equal to the number required by  
41 ordinance. The members shall be elected to a term of three years from  
42 the date of election and, at each town election thereafter, the town shall  
43 elect members of such board in place of the members whose terms  
44 expire, each for a term of three years from the date of election.

45 (3) If any town which holds biennial elections, reduces by  
46 ordinance, the number of the board of education members to three, six  
47 or nine, beginning with the town election next following such action,

48 when a term of office of a member of such board then in office expires,  
49 such position shall not be filled, except to make the number of the  
50 board equal to the number required by ordinance. The members shall  
51 be elected to hold office for six years, each from the date of election,  
52 and, at each town election thereafter, the town shall elect members of  
53 such board in place of the members whose terms expire, each for a  
54 term of six years from the date of election.

55 (4) If any town which holds biennial elections, increases by  
56 ordinance, the number of the board of education members to six, nine  
57 or twelve, such town shall elect, beginning with the town election next  
58 following such action, members to the board in a number that will  
59 make the number of the board equal to the number required by  
60 ordinance. The members shall be elected to a term of six years from the  
61 date of election and, at each town election thereafter, the town shall  
62 elect members of such board in place of the members whose terms  
63 expire, each for a term of six years from the date of election.

64 (c) The provisions of this section and section 9-204 shall not be  
65 construed to repeal or affect any special act relating to a town which  
66 elects the members of its board of education in a different manner or  
67 for different terms.

68 Sec. 2. Subsection (a) of section 9-205 of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective from*  
70 *passage*):

71 (a) Any town may, at any time, by ordinance, make the number of  
72 its board of education five, seven or eight. (1) If any town which holds  
73 biennial town elections, by ordinance, [makes] reduces the number of  
74 its board of education to five [,] or seven, [or eight, at] beginning with  
75 the town election next following such action, [the terms] when a term  
76 of office of [the members] a member of such board then in office [shall  
77 expire; and, if the number so chosen is five, such town shall elect three  
78 members of such board to hold office for two years and two members]  
79 expires, such position shall not be filled, except to make the number of

80 the board equal to the number required by ordinance. The members  
 81 shall be elected to hold office for four years each from the date of  
 82 election, and, at each town election thereafter, the town shall elect  
 83 members of such board in place of the members whose terms expire,  
 84 each for a term of four years from the date of election. (2) If any town  
 85 which holds biennial town elections, by ordinance, increases the  
 86 number of such board members [so chosen is seven] to seven or eight,  
 87 by ordinance, such town shall elect, [four members to hold office for  
 88 two years and three members to hold office for four years, each from  
 89 the date of election, and, at each town election thereafter, shall elect  
 90 members of such board in place of the members whose terms expire,  
 91 each for] beginning with the town election next following such action,  
 92 members to the board in a number that will make the number of the  
 93 board equal to the number required by ordinance. The members shall  
 94 be elected to a term of four years from the date of election [. If the  
 95 number of such board members so chosen is eight, such town shall  
 96 elect four members to hold office for two years and four members to  
 97 hold office for four years, each from the date of election,] and, at each  
 98 town election thereafter, the town shall elect members of such board in  
 99 place of the members whose terms expire, each for a term of four years  
 100 from the date of election.

101 Sec. 3. (NEW) (*Effective from passage*) Notwithstanding any provision  
 102 of chapter 146 of the general statutes concerning the reduction or  
 103 increase, by ordinance, of the number of members serving on a  
 104 municipal board, in the case of such reduction or increase, no term of a  
 105 member shall be terminated solely due to such reduction or increase.

106 Sec. 4. Section 7-192a of the general statutes is repealed and the  
 107 following is substituted in lieu thereof (*Effective July 1, 2010*):

108 (a) No provision of this chapter shall be deemed to empower any  
 109 municipality to levy or collect any tax not authorized by the general  
 110 statutes or to adopt a charter, charter amendments or home rule  
 111 ordinance amendments which shall affect matters concerning

112 qualification and admission of electors; duties and responsibilities of  
 113 registrars of voters; duties and responsibilities of town clerks with  
 114 respect to electors, voting and elections; forfeiture of electoral rights  
 115 and restoration of the same; absentee voting; conduct of and  
 116 procedures at elections; hours of voting; canvass of electors;  
 117 preliminary, final and supplementary registry lists; warning of  
 118 elections; election officials and their duties and responsibilities;  
 119 election canvass and returns; election contests; corrupt practices;  
 120 prohibited acts with respect to elections; nomination of candidates;  
 121 adoption and amendment of party rules; primaries; and political  
 122 parties and enrollment therein.

123 (b) Notwithstanding any provision of the general statutes or any  
 124 special act, municipal charter or home rule ordinance, a municipality  
 125 may, by ordinance adopted by its legislative body, enact provisions  
 126 authorizing the nomination of nonpartisan candidates to the local or  
 127 regional board of education for such municipality's school district.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-203
Sec. 2	<i>from passage</i>	9-205(a)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2010</i>	7-192a

***Statement of Purpose:***

To provide that a member of a municipal board shall not have his or her term of office terminated because of an ordinance changing the number of members serving on such board and to authorize towns to provide for nonpartisan boards of education.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*